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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,595	12/29/2000	Min Zhu	16440.4004	8830
34313	7590	11/29/2006	EXAMINER	
ORRICK, HERRINGTON & SUTCLIFFE, LLP IP PROSECUTION DEPARTMENT 4 PARK PLAZA SUITE 1600 IRVINE, CA 92614-2558				ALAM, UZMA
ART UNIT		PAPER NUMBER		
		2157		
DATE MAILED: 11/29/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/751,595 Examiner Uzma Alam	ZHU ET AL. Art Unit 2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 14 September 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-29 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-29 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 29 December 2000 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date: _____	6) <input type="checkbox"/> Other: _____

### **DETAILED ACTION**

This action is responsive to the amendment filed September 14, 2006. Claim 1 is amended and Claims 28 and 29 are new. Claims 1-29 are pending. Claims 1-29 represent a distributed meeting management system.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Butler US Patent No. 6,584,493 in view of Tang et al. US Patent No. 6,349,327 in further view of Harrison et al. US Patent No. 6,539,483. Butler discloses the invention as claimed including a conferencing and collaboration system (see abstract). Tang discloses the invention as claimed including a distributed work environment (see abstract). Harrison teaches the invention as claimed including a method of amending a network with new devices (see abstract).

As per claims 1, 7, 13, 19, 25 and 26 Butler discloses a method, computer program, computer readable medium and computer data signal of distributed collaborative computing comprising:

partitioning a collaboration function into sub-functions (four different processes form the collaboration process - column 8, line 54-65; column 12, lines 1-11);

Art Unit: 2157

assigning at least one said sub-function to each of a plurality of logical processes (the processes perform certain tasks - column 12, lines 11-41; column 13, lines 45-59);

monitoring said respective management processes to determine whether a quality of service is met (monitoring performance of the application to see if there are any delays in the processing of information, such as jerky mouse movement. These performance problems are a direct result of the delays resulting from excessive network traffic slowed conference response time, column 2, lines 59-67; column 10, lines 46-67; column 11, lines 1-15; column 20, lines 58-67; column 21, lines 1-64); and

when the quality of service is not met, spawning a new logical process (when new members join and increase traffic on the network, reducing the quality of service, memory is dynamically allocated to prevent performance degradation of the application and messages are sent privately to reduce network traffic; column 4, lines 28-44; column 6, lines 3-50; column 10, lines 46-58; column 12, lines 14-35; column 13, lines 1-5).

Butler does not disclose:

associating a respective management process with each of said plurality of logical processes, said logical processes configured so that each said logical process is capable of communicating with every other said logical process thru said respective management process;

communicating between said logical processes using said respective management processes;

Monitoring said respective management processes with a single supervisor process.

Art Unit: 2157

Tang discloses: associating a respective management process with each of said plurality of logical processes, said logical processes configured so that each said logical process is capable of communicating with every other said logical process thru said respective management process (Tang teaches the encounter aware application which handles the logical process and the encounter proxy object which handles the management processes; column 13, lines 31-67);

communicating between said logical processes using said respective management processes (Tang teaches that the encounter aware application sends status and other messages to the encounter proxy object column 13, lines 56-65; column 14, lines 18-32);

Monitoring said respective management processes with a single supervisor process (Tang teaches the encounter server which monitors the respective management processes; column 14, lines 1-50, column 16, lines 29-35).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the monitoring, associating, and communicating between process of Tang with the partitioning of processes of Butler. A person of ordinary skill in the art would have been motivated to do this to maintain lists of services being offered and to balance workload between processes.

Butler and Tang do not teach wherein the new logical process comprises a new collaboration server or a new application server. Harrison teaches this limitation. See column 6, lines 16-26, lines 58-68 and column 7, lines 33-55. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the processes of Butler and Tang with the new application server of Harrison. A person of ordinary skill in the art would have

Art Unit: 2157

been motivated to do this to add functionality to the collaborative environment when the QOS level is not met.

As per claims 2, 8, 14 and 20 Butler discloses a method, computer program, computer readable medium and computer data signal of claims 1, 7, 13 and 19 wherein said collaboration function comprises real time conferencing (column 9, lines 36-52).

As per claims 3, 9, 15 and 21 Butler discloses a method, computer program, computer readable medium and computer data signal of claims 1, 7, 13 and 19 wherein said collaboration function comprises application sharing (column 9, lines 52-65).

As per claims 4, 10, 16 and 22 Butler discloses a method, computer program, computer readable medium and computer data signal of claims 1, 7, 13 and 19 wherein said collaboration function comprises document sharing (column 9, lines 52-65).

As per claims 5, 11, 17 and 23 Butler discloses a method, computer program, computer readable medium and computer data signal of claims 1, 7, 13 and 19 wherein said sub-function comprise collaboration serving, application serving, log serving, license management, and meeting management and wherein each said sub-function forms at least one logical server (column 11, lines 29-44).

As per claims 6, 12, 18 and 24 Butler teaches a method, computer program, computer readable medium and computer data signal of claims 1, 7, 13 and 19 wherein said logical processes are instantiated on at least one physical server (column 8, lines 54-65).

As per claim 27, Butler teaches a method of claim 1, wherein the quality of service represents an ability to respond to data requests from clients (column 4, lines 14-42; column 6, lines 50-60; column 11, lines 1-44; column 12, lines 14-41).

As per claim 28, Butler and Tang teach the method of claim 1, further comprising:  
Spawning a new management process (Butler; when new members join and increase traffic on the network, reducing the quality of service, memory is dynamically allocated to prevent performance degradation of the application and messages are sent privately to reduce network traffic; column 4, lines 28-44; column 6, lines 3-50; column 10, lines 46-58; column 12, lines 14-35; column 13, lines 1-5).

Butler and Tang do not teach associating the new management process with the new collaboration server or new application server, wherein the new management process is configured so that the new collaboration server or new application server is capable of communicating with every other said logical process.

Harrison teaches associating the new management process with the new collaboration server or new application server, wherein the new management process is configured so that the new collaboration server or new application server is capable of communicating with every other said logical process. See column 6, lines 16-26, lines 58-68 and column 7, lines 33-55. It would

have been obvious to a person of ordinary skill in the art at the time of the invention to combine the processes of Butler and Tang with the new application server of Harrison. A person of ordinary skill in the art would have been motivated to do this to add functionality to the collaborative environment when the QOS level is not met.

As per claim 29, Butler and Tang teach the method of Claim 1, wherein the new collaboration server or new application server receives configurations, operating parameters and current meeting data from the supervisor process (Tang teaches the encounter server which monitors the respective management processes; column 14, lines 1-50, column 16, lines 29-35).

*Response to Argument*

Applicant's arguments filed September 14, 2006 with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Tuesday 5:30 AM - 2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Uzma Alam  
Ua  
November 20, 2006

  
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